

FILED

UNITED STATES DISTRICT COURT

U.S. DISTRICT COURT
SAVANNAH DIV.

for the

2008 DEC -4 AM 9:45

Southern District of Georgia
Statesboro DivisionCLERK B.
SO. DIST. OF GA.United States of America
v.

Homer Holloway

Date of Previous Judgment: January 8, 2008
(Use Date of Last Amended Judgment if Applicable)) Case No: CR606-00026-006
) USM No: 12965-021
) Michael C. Garrett
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>33</u>	Amended Offense Level: <u>33</u>
Criminal History Category: <u>IV</u>	Criminal History Category: <u>IV</u>
Previous Guideline Range: <u>188</u> to <u>235</u> months	Amended Guideline Range: <u>188</u> to <u>235</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

The defendant is not eligible for a reduction in sentence because his offense level was determined based on quantities of cocaine hydrochloride and not cocaine base.

Except as provided above, all provisions of the judgment dated January 8, 2008, shall remain in effect.

IT IS SO ORDERED.

Order Date: 12-4-08

B. Avant Edenfield
Judge's signature

Effective Date: _____
(if different from order date)

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title